



In the United States Patent and Trademark Office

App. Number: 10/022,627

Appn. Filed: 2001 December 17

Applicant(s): Lee DeGross

Title: Internet Ad Door

Examiner/GAU: Michael Roswell/2173;

Mailed: Fort Lee, NJ, 2009 Nov 2, Tues

**Rule 132 Declaration Regarding Working
Models for Application Number 10/022,627**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Lee DeGross declares as follows:

1. I am the inventor in the above patent application.
2. The working models are presented on PowerPoint slide shows.
3. The first working model, labeled version A, shows an image of a blocking nature with the word "Image" written on the colored space. An internet website that is purposely blank is drawn in black and white. A cursor is nearby on this slide 1.
4. The slide 2 shows the cursor selecting the image of a blocking nature.
5. The slide 3 shows the image of a blocking nature disappearing.
6. The slide 4 shows the internet advertisement that is revealed and displayed.
7. The slide 5 shows, as an option, the original image of a blocking nature after the internet advertisement is finished.
8. The slide 6 shows, as an option, the internet advertisement continues to be displayed after it

is finished.

9. The slide 7, labeled version B, shows the cursor selecting an image of a blocking nature.
10. The slide 8 shows the image of a blocking nature disappearing with animation.
11. The slide 9 shows the internet advertisement that is revealed and displayed in a larger space on the website.
12. The slide 10 shows, as an option, the original image of a blocking nature after the internet advertisement is finished.
13. The slide 11 shows, as an option, the internet advertisement continues to be displayed in the size of the original image of a blocking nature.
14. The last slide shows "The End".
15. Attached is an "Invention Disclosure" document witnessed and signed by Katya Calixtro on 4/18/2010, and by Gregg DeGregorio on 10/18/2010. Both are computer professionals who witnessed the working models. A printout of slide 1 is included.
16. Attached are document exhibits with highlighted sentences that are factual evidence supporting the 35 U.S.C. § 103 reasons of "Assumed Insolubility", and "Solution of Long-Felt and Unsolved Need", and "Solved Different Problem".
17. The first document is a 2 page New York Times article, dated 9/11/2000. The title is "Entertainment Web Sites Facing Failures and Cuts". Another brief New York Times article is added on page 2, dated 10/21/2000. The title is "News Corporation Cuts Jobs at Internet Operation".
18. The second document is a 2 page New York Times article, dated 12/18/2000. The title is "We Now Interrupt Your Browsing for This Commercial Message".
19. The third document is a 2 page New York Times article, dated 1/7/2001. The title is "New York Times to Cut Jobs at Internet Unit".

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Invention Disclosure

TITLE: Internet Ad Door - Building and Testing

REFERENCE: Invention recorded on Provisional Patent Application 60/256,167 filed on 12/16/2000.

DESCRIPTION: A total of 2 working model versions was made and finished on March 27, 2010. The 2 versions were updated on April 17, 2010. It is a process invention shown on the internet, and is demonstrated on a PowerPoint™ presentation.

A printout of the first step of one version is on the 2nd page.

RAMIFICATIONS: A covering image that opens in a hinged manner, like a door, was tried but PowerPoint™ does not have this feature.

TEST DESCRIPTION: A covering image with the word "logo" was also made for package delivery companies such as UPS™, FedEx™, and DHL™ but is not a part of this Invention Disclosure.

TEST RESULTS: The working models shows a process that begins with an internet advertising that is covered by an image using color and graphics. The generic word "image" appears as the covering image. In both working model versions, when a cursor selects the covering image, the image disappears to reveal the internet advertising. The internet advertising is shown with the word "Advertisement".

INVENTOR:

Lu DeRose

DATED:

4/18/10

THE ABOVE CONFIDENTIAL INFORMATION IS WITNESSED AND UNDERSTOOD:

Katya Baluta

April 18th / 2010

Gregory DeGuz

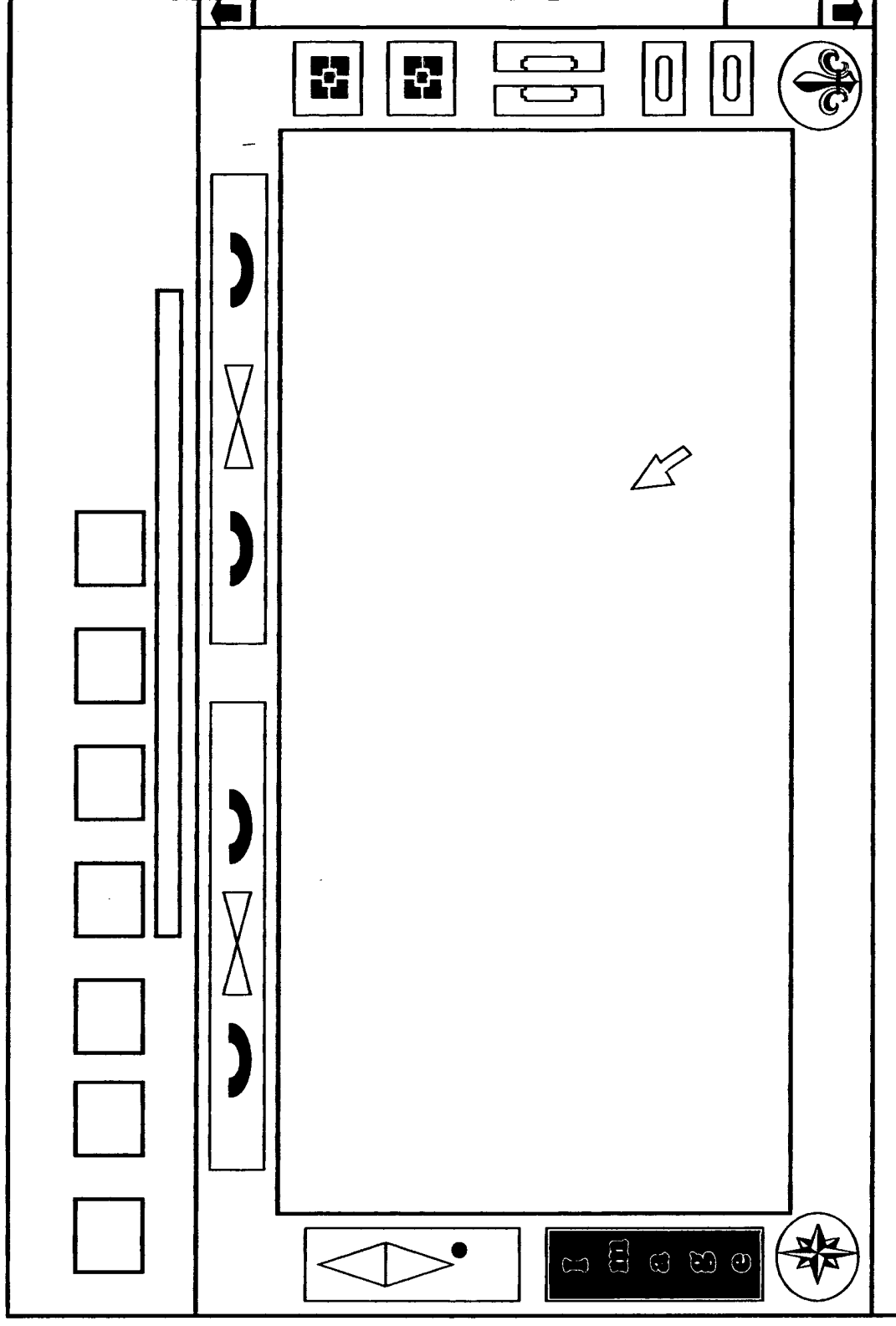
October 18, 2010

Slide 1, version A

- This is a basic illustration of a typical internet website.

- The webpage is purposely left a blank.

- The internet ad door is an image covering the advertisement.



MEDIA; Entertainment Web Sites Facing Failures and Cuts

By RICK LYMAN

Published: September 11, 2000

LOS ANGELES, Sept. 10— The announcement last week that Shockwave.com, one of the most frequently visited entertainment sites on the World Wide Web, was laying off 15 percent of its staff and shifting its emphasis toward more interactive diversions, was bad enough. But coming just days after Pop.com, the dot-com brainchild of some of Hollywood's most famous names, announced it was shutting down before it ever opened for business, many in this new, once-growing Internet sector are beginning to wonder if the party is over before it has really had a chance to begin.

The announcements are resurrecting concerns that further failures and cutbacks are inevitable in the online entertainment sector, which has exploded since 1999.

Many of those in the field say they have learned at least two important lessons over the last, tumultuous year. First, it is difficult, if not impossible, to sell enough online advertising to defray the unexpectedly high costs of producing and maintaining an entertainment-only site, particularly if that site has no other source of revenue. And second, as might have been expected, Web surfers turn out to be more interested in entertainment that exploits the medium's inherent interactivity, like games and virtual communities, than in traditional, old-style films and animation that can be more easily and pleasantly viewed on television.

"In my view, the Web is not about repurposing content that works in other media," said Lawrence Levy, Shockwave's chairman. "It's about leveraging the powers of this medium, and that's what we're focusing on now. To me, the fact that we are having this kind of shakeout is no surprise at all."

Eighteen months ago, there were only a handful of Web sites dedicated to providing entertainment, usually in the form of streams of live-action or animated shorts. But the numbers grew exponentially until, earlier this year, there were more than 100 sites, with new ones being introduced every week.

As home computers became faster, and software breakthroughs allowed increasingly sophisticated audio and video to be delivered through telephone and cable modems, many believed that a new entertainment medium was emerging, and there was a rush to take advantage of the opportunity.

The first sign of trouble came with the collapse last spring of the Digital Entertainment Network, one of the earliest and most profligate of the entertainment sites. Its failure was quickly followed by widespread predictions of a further winnowing of financially vulnerable sites. Sure enough, as some of the dot-com start-ups depleted their initial financing and found it harder to raise more money, there was a steady dribble of layoffs and retrenchments throughout the spring and summer.

"The market has changed quite a bit since April, when you could get things funded on the back of a napkin," said Matt Hulett, chief marketing and online officer at AtomFilms, a Web site owned by the Atom Corporation that has thus far escaped the woes that have plagued others in the field. "We're almost the grandfather of whatever you want to call this space, at least in Internet dog years. But then, we never really considered ourselves a dot-com. The Web is just one channel for us."

Those companies whose business models called for offering Web entertainment supported only by online advertising are finding that this is not a viable strategy, Mr. Hulett and others said last week. The companies that are still hanging in there, and still have hopes of prospering, are those that figure out ways of making money beyond advertising. AtomFilms, for instance, also sells its short films to airlines, cable television channels, shopping malls and other outlets. WireBreak Entertainment has focused more attention on creative interactive entertainment for others' Web sites, including commercial sites that are looking for ways to keep shoppers shopping. Others are relying on popular, globally known brands. Stan Lee Media uses the name and work of the legendary comic-book creator to attract fans to his new comic creations on the Web, which are also spun out into books and comics and other more traditional outlets.

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The New York Times

COMPANY NEWS; NEWS CORPORATION CUTS JOBS AT INTERNET OPERATION

Published: October 21, 2000

News Digital Media, the online media unit of the News Corporation, has dismissed about 20 percent of its New York news staff and has told all New York sports staff members to move to Los Angeles or lose their jobs. The employees were informed late Thursday and Friday, a day or two after Rupert Murdoch, the company's chairman, told investors at the Australia-based company's annual meeting that he was not confident in the business models of Internet companies that rely on advertising revenue. Separately, 12 of the 82 New York-based news editorial staff members were laid off.

TECHNOLOGY & MEDIA; We Now Interrupt Your Browsing for This Commercial Message

By SUSAN STELLIN

Published: December 18, 2000

Like it or not, Web browsing is about to be interrupted by a few commercial messages.

This goes against the strongly held conviction among Internet users that information and services should be free and encumbered by advertising only discreetly -- if at all. Floundering dot-coms built on the hope of advertising revenue, however, are hoping users will change their minds.

Until recently, most Internet advertisements have been relegated to the margins of Web pages -- and easy to overlook. What advertisers want, these dot-coms have been painfully learning, are catchy, riveting and compelling advertisements; in other words, impossible to ignore.

After all, in other media, some analysts say, advertisements are routinely placed in the midst of programming, and for the most part consumers have come to accept the interruption.

"Rudely interrupted? Hey, we do that with radio, we do that with any serially served medium," said Michael Tchong, the editor of Iconocast, an industry newsletter. "It's accepted in other media because they grew up with it."

And like it or not, many in the industry think that it is inevitable to sustain the businesses that rely on advertising.

"All this free content isn't going to continue to be free unless users pay for it somehow, and the payment is advertising," Mr. Tchong said.

Newer types of Internet advertisements are emerging, including those that appear in applications other than on a Web browser -- like e-mail, wireless devices or multimedia players. And there are advertisements that remain within the browser but appear in a window that overlays or replaces the one the user was viewing.

While there are many names that describe advertisements in the latter category, the three most common types are pop-ups, which are small windows that appear on top of the browser; interstitials, which are full Web pages that download and appear within the browser as a user is moving from one page to another; and superstitials, a type of interstitial developed by a company called Unicast that downloads in a less obtrusive manner.

For all these advertisements, the point is to capture the viewer's attention more effectively than the banners that are usually found on a page's margins.

While many sites have long used pop-up windows to promote their own services -- America Online, for example, uses pop-ups to inform members about new features -- only recently have several sites used them for advertisements. The Microsoft Network has consistently used pop-ups for surveys and Microsoft promotions; now it is testing them with advertisers.

"MSNBC has been using pop-ups to give consumers the option to customize their news by ZIP code," said Mike Siegenthaler, the marketing manager for MSN sales. "The test this quarter is going to dictate how we move forward with pop-up advertisements."

Part of the reason for the tentative nature of the strategy is that consumers are generally loath to have their browsing interrupted.

Both pop-ups and interstitials appear on a screen without warning and, depending on the advertisement's file size and the computer's connection speed, they can delay an impatient surfer by 30 seconds or more as the advertisement downloads and cycles through an animation.

To minimize this wait, Unicast, in San Francisco, has developed the superstitial, which it describes as a "polite load." While a user reads one Web page and the Internet connection is idle, an advertisement downloads in the background. When the user clicks on a link to go to another page, the animated advertisement plays up to 20 seconds while the other page loads. Unicast requires advertisers to include a link that allows viewers to close the superstitial window at any point, an option of many interstitials and pop-ups.

Unicast licenses its technology to Web publishers and advertising networks for a fee of \$5 for each thousand advertisements that run. Publishers and advertising networks then sell the opportunity to advertisers for \$35 to \$90 for a thousand advertisements. Allie Shaw, Unicast's vice president of global marketing, said 350 Web sites and advertising networks had licensed the technology, including AltaVista, Excite, ESPN and DoubleClick, and more than 50 companies were running superstitial campaigns.

While these alternative advertising formats are gaining momentum, they represent a small portion of the advertising market. Research conducted by PricewaterhouseCoopers showed that interstitials (including pop-ups) represented just 3 percent of Internet advertising revenue in the second quarter.

New York Times Company To Cut Jobs at Internet Unit

By FELICITY BARRINGER

Published: January 07, 2001

New York Times Digital, the Internet division of The New York Times Company, is laying off about 70 employees, a move prompted by the unexpected slackening of advertising revenue, according to employees at the digital unit who have been briefed on the move.

Martin A. Nisenholtz, chief executive of New York Times Digital, referred questions to the company's spokeswoman, Catherine Mathis, who had no comment on the job cuts.

The job cuts will reduce the unit's work force of about 400 people by about 17 percent and is expected to save about \$6 million in the division. According to the third-quarter financial statements of the Times Company, the division lost about \$46.2 million in the first nine months of 2000, up from a loss of \$17.8 million during the same period a year earlier. New York Times Digital's revenue for the first nine months of 2000 was \$37.2 million, up from \$15 million for the same period in 1999.

The anticipated layoffs make the Times Company the second major old-media concern in four days to plan serious cutbacks among new media employees. Rupert Murdoch's News Corporation announced Thursday that it would eliminate several hundred jobs throughout its Internet division, News Digital Media, within the next few weeks.

About a month ago, the newspaper publisher Knight Ridder announced plans to lay off 68 of the 420 workers at KnightRidder.com, its Internet unit.

An analyst at Morgan Stanley Dean Witter, Douglas M. Arthur, said yesterday that he viewed the cutbacks at New York Times Digital as a reflection of the disappointing trends in advertising revenue across the company.

"My assumption would be that the revenue outlook for the dot-com is not as strong as predicted," he said. "If the base business were stronger, they could carry more losses in the digital unit."

But remarkably strong advertising revenue at the beginning of 2000 has become a high hurdle for media companies who want to show a continually improving profit picture.

"We're up, but not as much as everyone would like," said one employee familiar with the revenue picture at New York Times Digital. In November and December "we really felt the pain" of the national advertising slowdown, the person added.

Mr. Nisenholtz told Wall Street analysts at a conference last month: "The collapse of the dot-com revenue stream and the shakeout in online advertising affect all of us. We have all said that marketplace rationalization is -- longer term -- a good thing. But in saying that, we need to be crystal clear about the shorter term and how we intend to achieve our critical imperatives."

Later in same presentation, he said, "We have made a commitment to ourselves and to you that our losses will reduce substantially in 2001 and that we will achieve positive" operating cash flow in 2002.

According to several employees at New York Times Digital, the cutbacks will be made across the board, from the company's flagship Web site, nytimes.com, and its local Web service, nytoday.com, whose operations have been increasingly integrated in the last few months, to boston.com, the New England regional Web site, and Abuzz, New York Times Digital's knowledge-sharing Web site.

The layoffs were another indication that new-media divisions under old-media umbrellas can offer little more protection to their workers than stand-alone dot-com companies.

Like other Internet units, New York Times Digital has a youthful work force, few of whom were out of college during the last recession in the early 1990's. Also like other Internet units, it has undergone several high-level management changes, which have led some staff members to question the clarity of management's focus.

One mid-level employee, who spoke only on the condition of anonymity, said late yesterday: "A lot of changes have been made very fast in the past year. Management spoke with great optimism and determination about what these changes would lead to. Employees at the company were skeptical then, but eager to try. In the year since, there's a lot more skepticism than there is eagerness."

It was unclear yesterday when the layoffs would take effect. The employees who are likely to lose their jobs will include people who gather the news, computer programmers, those who develop new digital products and perhaps some executives, employees at New York Times Digital said. Some eight producers at nytimes.com who are members of the Newspaper Guild are likely to be laid off, they said. The rest of the layoffs would come from among nonunion staff members.

The layoffs are coming more than seven months after the company's shareholders approved an initial public offering of a new class of Times Company stock based on New York Times Digital's assets. The offering, however, never came about. Last October, after investors had fled from many Internet-related businesses, the company announced that it was withdrawing the new stock's registration with the Securities and Exchange Commission.

One of the purposes of the initial public offering had been to offer potentially valuable stock options to New York Times Digital employees, many of whose peers at other new-media companies had accumulated paper wealth through similar stock options. Now, however, the issue is not options, but jobs.

One employee, who would speak only on condition of anonymity, said yesterday, "I think there was an excitement about the I.P.O., but I think we knew all along that jackpot success was a long shot at best, given what our product is."